REMARKS/ARGUMENTS

The Examiner's courtesy in granting an interview to Applicants' representative on October 7, 2004 is gratefully acknowledged. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

By this Amendment, claim1 is canceled, claims 2-18 are amended and claim 19 is added. Claims 2-19 are pending.

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner sets forth that Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner further sets forth that Claim 1 recites the limitation "the images" in line 2 of the claim. The Examiner believes that there is insufficient antecedent basis for this limitation in the claim.

The Examiner further sets forth that Claim 2 recites the limitation "said banner area" in line 2 of the claim. The Examiner believes that there is insufficient antecedent basis for this limitation in the claim.

The Examiner further sets forth that Claim 10 recites the limitation "said visually perceivable banner information" in line 2 of the claim. The Examiner believes that there is insufficient antecedent basis for this limitation in the claim.

The Examiner further sets forth that Claim 18 recites the limitation "said banner website" in lines 8-9 of the claim. The Examiner believes that there is insufficient antecedent basis for this limitation in the claim.

The Applicants submit that the claims have been amended accordingly.

The Examiner sets forth that Claims 1, 7, 10-14 and 18 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 6,370,537 to Gilbert et al. (hereinafter Gilbert).

Referring to Claim 1, the Examiner believes that Gilbert discloses a method for delivering information to a person having a terminal (client; Fig. 1, 108) with an associated display upon which images are visually perceivable by a person using the terminal and a cursor whose position is controllable by the person. The Examiner sets forth that Fig. 26 shows a website, whose content is visually perceived by the user, with banner 2600 an that col. 17, lines 44-47 describes how the user may move the mouse, which the Examiner believes that controls the position of a cursor.

a) The Examiner sets forth that the method of Gilbert provides a display iframe upon the visual display. The Examiner directs the Applicant's attention to col. 17, lines 12-47 and Fig. 26.

b) The Examiner further sets forth that the method of Gilbert provides initial signals to establish a primary image area (banner) on the display iframe, the primary image area including information that is visually perceivable by the person and a sub-area of the primary image area within the display iframe. The Examiner directs the Applicant's

attention to Fig. 26, banner 2600, which according to the Examiner shows three sub-areas (frames). Also, the Examiner directs the Applicant's attention to col. 17, lines 40-44, which describe how the banner (primary image area) may be split into frames.

c-d) The Examiner sets forth that the method of Gilbert enables the person to control the cursor to position the cursor on the sub-area of the primary image (banner) to provide a selected sub-area, whereupon the Examiner believes that the person is automatically provided with additional visually perceivable information associated with the selected sub-area. The Examiner directs the Applicant's attention to col. 17, lines 44-53, which the Examiner believes describes how a mouse over an image in one of the frames causes a pop-up window (visually perceivable) to be displayed on the display, the pop-up window providing additional visually perceivable information associated with the selected sub-area (frame) according to the Examiner.

d) The Examiner further sets forth that the additional visually perceivable information of Gilbert is provided independently of further positioning of the cursor by the person (i.e. the pop-up/addition visually perceivable information is provided upon the mouse over, which the Examiner believes requires no further positioning or action).

e) According to the Examiner the respective additional visually perceivable information of Gilbert is imperceivable by the person until the cursor is located on the selected sub-area. The Examiner directs the Applicant's attention to col. 17, lines 44-53, which the Examiner believes describes how a mouse over an image in one of the frames

causes a pop-up window (visually perceivable) to be displayed, which provides additional

information associated with the selected sub-area (frame)according to the Examiner.

Referring to Claim 7, the Examiner sets forth that, the initial signals of Gilbert carry

the instructions necessary for enabling the terminal to establish the additional visually

perceivable information (pop-up). The Examiner directs the Applicant's attention to col. 17,

lines 25-31 and 50-54.

Referring to claims 10-11, the Examiner sets forth that the method of Gilbert

receives the visually perceivable banner information, first identification data representative

of the visually perceivable banner information, the additional visually perceivable

information, and second identification data representative of additional visually perceivable

information. The Examiner directs the Applicant's attention to col. 17, lines 25-31 and 50-

54, which the Examiner believes describes how the banner information and additional

information are served from an ad server, and therefore must be received by the terminal.

The method of Gilbert specifies a placement of the additional visually perceivable

information with respect to the visually perceivable banner information according to the first

and second identification data according to the Examiner. The Examiner directs the

Applicant's attention to Fig. 26, which the Examiner believes shows the pop-up window

(additional information) in relation to the banner.

Referring to Claim 12, the Examiner sets forth that the method of Gilbert must build

a use map in accordance with the first and second identification data to associate the

appropriate pop-up window with the appropriate image (sub-area) in the banner. The

Examiner directs the Applicant's attention to col. 17, lines 44-47. The Examiner also directs the Applicant's attention to col. 12, lines 20-28.

Referring to Claim 13, the Examiner sets forth that Gilbert discloses the step of providing additional visually perceivable information comprises the steps of:

a) building a pop-up function in accordance with the additional visually perceivable information (the Examiner directs the Applicant's attention to col. 17, lines 44-47);

b) adding HTML information to the pop-up function to provide an enhanced pop-up function (the Examiner directs the Applicant's attention to col. 17, lines 47-50 and col. 12, lines 26-28); and

c) displaying the visually perceivable banner information and the additional perceivable information in accordance with the enhanced pop-up function. The Examiner directs the Applicant's attention to col. 17, lines 40-50 and the pop-up associated with banner 2600 in Fig. 26.

Referring to Claim 14, the Examiner sets forth that Gilbert discloses that the primary image area (banner) includes plural sub-areas (frames) associated with respective additional visually perceivable information and the step of altering associations between the sub-areas (frames) and the respective additional visually perceivable advertising message information and repeating step (b). The Examiner directs the Applicant's attention to col. 17, lines 17-31 and 50-54, which the Examiner believes describes how the content of the pop-up (additional visually perceivable information) and banner are determined by the ad server and may be changed by the advertiser.

Referring to Claim 18, the Examiner sets forth that Gilbert discloses transmitting a request having request information to a server database (ad server) on a website containing stored visually perceivable information in response to the positioning of the cursor on the selected sub-area (frame), selecting the additional visually perceivable information (pop-up window) from the stored visual information in response to the request information, and transmitting the stored visually perceivable information to the banner website. The Examiner directs the Applicant's attention to col. 17, lines 44-54.

The Examiner sets forth that Claims 2, 6 and 8-9 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Gilbert.

Referring to Claim 2, the Examiner further sets forth that Gilbert shows a pop-up window associated with banner 2600 in Fig. 26, which the Examiner believes substantially crosses the lower boundary of the banner area according to the Examiner, but Gilbert does not explicitly show the selected region where the pop-up window (visually perceivable information) is displayed is provided substantially outside the boundaries of the banner area. However, the Examiner believes that pop-up windows may be placed anywhere within a display and may comprise different sizes. As an example, the Examiner directs the Applicant's attention to Fig. 18 or Gilbert, which the Examiner believes shows a pop-up window (1802), provided substantially outside of the boundaries of banner area (1801). According to the Examiner it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the pop-up window of Gilbert in a selected region provided substantially outside of the boundaries of the banner area, in order to prevent

covering up the banner, and reducing its visibility or to enlarge the pop-up window to draw

attention to it.

Referring to Claim 6, the Examiner sets forth that the additional visually perceivable

information (pop-up) of Gilbert is imperceivable by the person until the cursor is located on

the selected sub-area. The Examiner directs the Applicant's attention to col. 17, lines 44-

53, which the Examiner believes describes how a mouse over an image in one of the

frames causes a pop-up window (visually perceivable) to be displayed, which the Examiner

believes provides additional information associated with the selected sub-area (frame).

The pop-up window does not have a button in the window for closing the window ('x'), and

therefore is believed to remain perceivable to the person as long as the cursor remains on

the selected sub-area (frame) or on the pop-up window according to the Examiner. The

Examiner believes that it is typical for a mouse over event to last as long as the mouse

(cursor) remains positioned over the image associated with the mouse over. The Examiner

takes Official Notice of this teaching. According to the Examiner it would have been

obvious to one of ordinary skill in the art to ensure the pop-up window of Gilbert remains

open as long as the cursor remains on the selected sub-area (frame) or the pop-up window

(region), because the Examiner believes the lack of movement of the cursor indicates the

user is still reading the additional information.

Referring to Claim 8, the Examiner sets forth that the pop-up window of Gilbert

(additional visually perceivable information) is displayed in a region (window) adjacent to

the selected sub-area (frame). The Examiner directs the Applicant's attention to the pop-

up window over (adjacent) the banner 2600 in Fig. 26. According to the Examiner, the

pop-up window does not have a button in the window for closing the window ('x'), and

therefore is believed by the Examiner to remain perceivable to the person as long as the

cursor remains on the selected sub-area (frame) or on the pop-up window. The Examiner

believes that it is typical for a mouse over event to last as long as the mouse (cursor)

remains positioned over the image associated with the mouse over. The Examiner takes

Official Notice of this teaching. According to the Examiner it would have been obvious to

one of ordinary skill in the art to ensure the pop-up window of gilbert remains open as long

as the cursor remains on the selected sub-area (frame) or the pop-up window (region),

because the Examiner believes that the lack of movement of the cursor indicates the user

is still reading the additional information.

The Applicants respectfully traverse the Examiner's Official Notice.

Referring to Claim 9, the Examiner sets forth that the additional visually perceivable

information (pop-up) of Gilbert contains link information for linking the person to a further

website when the person clicks on the selected region. The Examiner directs the

Applicant's attention to col. 17, lines 48-64.

The Examiner sets forth that Claims 3-5 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Gilbert and U.S. Patent No. 6,496,857 to Dustin et al. (hereinafter

Dustin).

Referring to Claims 3-5, the Examiner further sets forth that Gilbert discloses

additional visually perceivable information in the form of a pop-up window, but the

Examiner believes that Gilbert does not explicitly describe that the pop-up window contains audio information, video information or mixed media information. However, the Examiner directs the Applicant's attention to Dustin describes a method for enhancing advertisements, which provides ads that contain audio, video, and/or mixed media information. The Examiner directs the Applicant's attention to col. 3, lines 5-8. Thus, the Examiner believes that It would have been obvious to one of ordinary skill in the art at the time of the invention to enhance the additional visually perceivable advertising message information (pop-up window advertisements) of Gilbert such that they include audio, video, and/or mixed media information for a more affective form of advertisement as supported by Dustin.

The Examiner sets forth that Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilbert and U.S. Patent No. 6,401,075 to Mason et al. (hereinafter Mason).

Referring to Claims 15-17, the Examiner sets forth that Gilbert discloses that the advertisements may be customized according to a user profile or at the discretion of the advertiser (the Examiner directs the Applicant's attention to col. 17, lines 21-31), but the Examiner believes that Gilbert does not explicitly teach altering the associations between the sub-areas and the respective additional visually perceivable information (pop-up advertisements) in accordance with recorded performance parameters. However, the Examiner believes that Mason discloses methods of monitoring internet advertising, in which parameters (which are predetermined) representative of the advertisements (i.e.

click-through) are recorded to provide recorded performance parameters, and the advertisements presented are altered in accordance with the recorded performance parameters. The Examiner directs the Applicant's attention to col. 2, lines 39-51. Altering the advertisements in accordance with the recorded performance parameters is repeated to provide the advertiser with accurate results of the success of the advertisements according to the Examiner. The recorded performance characters may be selected after altering the associations. The Examiner directs the Applicant's attention to Mason at col. 4, lines 20-37 and col. 6, lines 51-65. The Examiner believes that it would have been obvious to one of ordinary skill in the art to modify the associations between the frames of the banner (sub-areas) and the pop-up window (additional visually perceivable advertising message information) of Gilbert in accordance with recorded performance parameters as taught by Mason in order to provide the advertiser with information on the success of the advertisements in the pop-up window and alter the pop-up window and banner accordingly as supported by Mason.

Applicants' Discussion of the Prior Art

Gilbert teaches projects which include a meta object layout and a number of meta objects, wherein meta layout contains the mapping information of the meta objects. The meta objects contain linked nodes of a hierarchal data structure and the mapping information is used for mapping the meta objects to the display. Queries taught by Gilbert retrieve projects, and thereby the meta objects within them, are adapted to return data as query results which are then passed to the display.

The banner ads taught by Gilbert have pop-up windows linked thereto and can provide access to the content of the meta objects by permitting the display of the content in response to navigating through the banners. Gilbert teaches displaying the content in a content window outside of the banner with which the meta objects are associated. In order to do this, Gilbert's viewer's browser is enabled by an applet embedded in the web page. This applet allows the end user to view the banner ad in its intended rendering.

Gilbert also teaches rendering information within frames, each frame representing a different product. When the end user moves a mouse over an image a pop-up window appears, giving more information about the product. If an image is clicked upon, a new frame opens up in the screen. The content of the frame and the pop-up can be changed by an ad server in Gilbert. Thus, an association between the content in the overall frame and the pop-up image of Gilbert can be created and later changed by the ad server.

Gilbert teaches a window for displaying a banner ad 2600 wherein a user access of the banner ad 2600 causes a display in content window 2606. The banner ad 2600 is set forth as "an exemplary window for the display of metal objects from a banner ad 2600." See 17:6-7. Furthermore, Gilbert sets forth that "a web page loads with a banner ad in it..." See 17-12. "The information retrieved depends on the content or context of the web page at the banner ad resides in and/or a user profile held by the advertiser or third party. See 17:21-24. Thus, Gilbert does not provide any teaching or suggesting that the banner ad is anything other than a portion of the overall display. In particular, Gilbert does not provide

any teaching or suggesting that the banner ad could be the separate web page capable of all the functions and operations of the primary web page such as scrolling etc.

Dustin teaches delivering targeted enhanced advertisements across electronic networks. In the system taught by Dustin equipment at the user site sends a notification when the user clicks on a specific portion of a displayed advertisement. In response to the clicking on the advertisement an enhanced version of the advertisement enhanced is accessed. At a later time, the user can request access to the enhanced information by clicking on a part of the ad. In one embodiment of the Dustin system a stream of thumbnails of enhanced versions of the information can be displayed on the user's screen. However, in Duston the thumbnails are transmitted in response to clicking on a single specified location within a banner, rather than in response to merely navigating to one of a plurality sub-areas in the banner each having an associated image. Furthermore, the system taught by Duston operates within a document display, rather than within an iframe disposed upon a document display. Selected thumbnails within the plurality of thumbnails can be enlarged by navigating to them.

Mason teaches a method for obtaining an advertisement, modifying the advertisement to fit designated spaces for differing web sites, and placing the differing advertisements at the differing web sites. In the method taught by Mason, an original advertisement is loaded into a central processor and used to form derivative advertisements that conform to the configuration parameters of a plurality of selected web sites. The properly configured derivative advertisements are then transmitted to their

corresponding web sites. Parameters such as the number of hits or clicks through obtained by the advertisements are monitored and the advertisements presented are altered in accordance with the recorded performance parameters.

However, in the prior art methods, two frames with origins in different websites cannot communicate due to limitations placed by the Javascript object model. Different websites originating the frames can be referred to as different subdomains.

Applicants' Invention

In the Applicants' invention, a primary HTML document can be provided with a frame therein for permitting the display of secondary images within such a frame. For example, a banner advertisement can be displayed in a frame located within a primary HTML document. The image within the frame is essentially a miniature HTML web page that can be scrolled, printed, or operated upon in substantially any manner normally possible when operating upon HTML documents, independently of any such scrolling printing etc. of the primary document. This type of frame within a document is referred to as an iframe. See page 3, line 15 to page 3, line 21.

It is known in the art to provide a flash image or pop-up image wherein an associated flash image or pop-up image is displayed to the user when the user activates it, for example, by movement of an indicator on the primary HTML document. However, it is not possible in the prior art to activate such an associated image by movement of an indicator on a primary document when the primary document is displayed within an iframe. See page 3, line 15 to page 4, line 3 of the instant application.

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Further, in the Applicants' invention, a visual display having a banner advertisement can be a conventional display page having an HTML frame object. The HTML frame object can be an iframe element of the display page wherein a banner advertisement can be displayed within the iframe element. The HTML frame object for displaying the banner advertisement is treated as a separate document within the display page. See page 25, line 20 to page 26, line 4.

Therefore, new claim 19 sets forth a method for delivering information to a person having a terminal with an associated display device upon which the images are visually perceived by a person using the terminal and a cursor whose position is controllable by the person, including the steps of first serving initial signals by means of Javascript from a first subdomain in a first frame object to provide a primary display of a document in a first HTML page upon the visual display device, the first subdomain being disposed at a first website and second serving initial signals by means of Javascript from a second subdomain to provide a secondary display of a second document in a second HTML web page upon the visual display device, the second subdomain being disposed at a second website differing from the first website and the second web page being an iframe frame object whereby the first and second HTML web pages can be independently scrolled.

New claim 19 also recites enabling the person to control the cursor to position the cursor on a sub-area of the of the secondary display of the iframe frame object to provide a selected sub-area whereupon the person is automatically provided with additional visually perceivable information associated with the selected sub-area by means of Javascript, the

additional visually perceivable information being provided on the primary display independently of further positioning of the cursor by the person. The respective additional visually perceivable information are imperceivable by the person until the cursor is located on the selected sub-area.

None of the references teaches or suggests the use first and second initial signals for providing an independent iframe image within a primary image on a display as claimed by new claim 19. None of the references suggest providing a primary document and a secondary document (iframe) which are independent HTML pages, wherein selecting a sub-area in the iframe frame object can cause additional visually perceivable information to appear in the primary document as required by new claim 19.

Furthermore, none of the references cited by the Examiner teach or suggest providing initial signals <u>by means of Javascript</u>, providing additional visually perceivable advertising message information <u>by means of Javascript</u> establishing a banner area on a terminal <u>by means of Javascript</u>, or removing an enabled image <u>by means of Javascript</u> as required by new Claim 21. by means of Javascript

For at least the reasons set forth above, it is respectfully submitted that the above-identified application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.

Application No. 09/872,072
Amendment Dated November 8, 2004
Reply to Office Action of May 7, 2004

Should the Examiner believe that anything further is desirable in order to place the

application in even better condition for allowance, the Examiner is invited to contact

Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

November 8, 2004   By _____
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